

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SPIRIT AIRLINES, INC.,

Plaintiff,

vs.

CASE NO. 07-341 (SLR)

24/7 REAL MEDIA, INC., ADVERTISING.COM,
INC., AMERICA ONLINE, INC. DBA AOL,
BURST MEDIA CORPORATION,
CARROLLTON BANK, CHEAPFLIGHTS
(USA), INC., ECHO TARGET, INC., HOTWIRE,
INC., INTERCEPT INTERACTIVE, INC.,
PRICELINE.COM, LLC, RACKSPACE, LTD.,
SHERMANS TRAVEL, INC., SIDESTEP, INC.,
SMARTER LIVING, INC., SPECIFICMEDIA,
INC., TRAVEL MARKETING GROUP, INC.,
TRAVELZOO, INC., TRIBAL FUSION, INC.,
TRIPADVISOR LLC, VALUECLICK, INC., and
THE WEATHER CHANNEL INTERACTIVE,
INC.,

MOTION FOR DEFAULT JUDGMENT

NOW COMES Plaintiff, Spirit Airlines, Inc. ("Spirit"), by and through its undersigned attorneys, hereby requests that this Court enter a judgment by default against Defendant 24/7 Real Media, Inc. ("Real Media") pursuant to Rule 55, Federal Rules of Civil Procedure. In support of its motion, Spirit respectfully submits the following:

1. On March 21, 2007, Spirit filed the Complaint For Interpleader in the United States District Court For The Southern District of Florida, C.A. No. 07-60399 seeking judgment against the above named Defendants, including Real Media ("Complaint").

2. This matter was transferred to this Court pursuant to the Ordering Transferring Case dated May 21, 2007. The Record of the Case was docketed in this Court on May 29, 2007

[Docket Item #56]. The Complaint was also docketed in this case on May 29, 2007 [Docket Item #56].

3. On April 6, 2007, service of the Complaint was effectuated upon Real Media's registered agent, Mary Drummond of Corporation Service Company.

4. A copy of the summons and the return of service of process was filed with this Court on April 30, 2007 [Docket Item #37].

5. More than 30 days have elapsed since Real Media was required to file a responsive pleading.

6. On June 13, 2007, Spirit granted Real Media an extension until July 6, 2007, to answer the Complaint. Attached as Exhibit A is the email from Real Media's counsel confirming Real Media's request for an extension to answer until July 6, 2007. Spirit granted this extension telephonically.

7. Since June 13, 2007, Spirit's counsel has had no communications of any kind with Real Media or its counsel. Real Media has not filed a responsive pleading by July 6, 2007.

8. As of the date of this Motion, Real Media has failed to file an Answer or otherwise plead to the Complaint.


WHEREFORE, Spirit respectfully requests that the Court enter an order as follows:

- (1) Granting judgment against Real Media and declaring that Real Media has no claim, right, title or interest in or to the interpleaded funds.
- (2) Discharging Spirit from any liability to Real Media with respect to the interpleaded funds.
- (3) Restraining Real Media from instituting or prosecuting, in any other state or federal court, any proceeding against Spirit with respect to the interpleaded funds.

Dated: July 12, 2007

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By:


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